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Attorneys for Plaintiff
TAVANT TECHNOLOGIES, INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

TAVANT TECHNOLOGIES, INC.,

Plaintiff,

v.

LONG BEACH ACCEPTANCE
CORPORATION, et al.,

Defendants.

CASE NO. C08 3582 RMW

**STIPULATED REQUEST FOR AN ORDER
MODIFYING THE PRE-TRIAL
MANAGEMENT SCHEDULE;
[] ORDER**

Judge: The Honorable Ronald M. Whyte

Plaintiff Tavant Technologies, Inc. ("Tavant") and Defendant Long Beach Acceptance Corporation ("LBAC"), through their respective counsel, hereby stipulate and respectfully request the Court for an order as follows:

1. On January 21, 2009, the parties participated in an early settlement conference with Magistrate Judge Howard R. Lloyd. While the parties were unable to settle the matter, significant moves were made toward resolution of this matter;

2. The parties agreed to mediate this matter again with Judge Reed Ambler at JAMS. The date for this mediation is confirmed for November 18, 2009;

3. The parties submit that there is a significant delay between the early settlement conference and the new mediation date. This time delay was primarily needed to confirm

insurance coverage for Tavant's defense of LBAC's counterclaim.

Good cause exists for the requested modification of the Pre-Trial Management Schedule as the parties are participating in their second settlement conference on November 18, 2009 with Judge Reed Ambler. For that reason, the parties respectfully request the following modification in the Pre-Trial Management Schedule:

	Pr-Trial Management Schedule	Requested Modified Schedule
Fact Discovery Cut-Off	November 20, 2009	April 2, 2010
Expert Disclosure and Reports	December 4, 2009	April 16, 2010
Rebuttal Expert Disclosure and Reports	January 10, 2010	April 30, 2010
Expert Discovery Cut-Off	February 9, 2010	May 14, 2010
Hearing on Dispositive Motions	March 19, 2010	July 2, 2010
Joint Pre-Trial Statement	May 28, 2010	September 3, 2010
Pre-Trial Conference	June 3, 2010	September 9, 2010
Trial Date	June 21, 2010	September 20, 2010

This is the parties' first stipulation and request to modify the Pre-Trial Management Schedule. The parties, however, previously stipulated regarding an extension for the Initial Case Management Conference in order to conduct the early settlement conference with Judge Howard Lloyd and continue settlement discussions. (See Docket numbers 9 and 28).

It is so stipulated.

Dated: September 25, 2009

ROPERS, MAJESKI, KOHN & BENTLEY

By: /s/ Elise R. Vasquez

MICHAEL J. IOANNOU
 ELISE R. VASQUEZ
 Attorneys for Plaintiff
 TAVANT TECHNOLOGIES, INC.

FOLEY & LARDNER LLP

Dated: September 25, 2009

By: /s/ Chad R. Fuller

CHAD R. FULLER
Attorneys for Defendant
LONG BEACH ACCEPTANCE
CORPORATION

I, Elise R. Vasquez, am the ECF user whose identification and password are being used to file this stipulation. In compliance with General Order 45.X.B, I hereby attest that the other signatory has concurred in this filing.

Dated: September 25, 2009

ROPERS, MAJESKI, KOHN & BENTLEY

By: /s/ Elise R. Vasquez

MICHAEL J. IOANNOU
ELISE R. VASQUEZ
Attorneys for Plaintiff
TAVANT TECHNOLOGIES, INC.

ORDER

Good cause appearing,

IT IS HEREBY ORDERED:

1. That the Pre-Trial Management Schedule is hereby modified as follows:

	Pre-Trial Management Schedule	Requested Modified Schedule
Fact Discovery Cut-Off	November 20, 2009	April 2, 2010
Expert Disclosure and Reports	December 4, 2009	April 16, 2010
Rebuttal Expert Disclosure and Reports	January 10, 2010	April 30, 2010
Expert Discovery Cut-Off	February 9, 2010	May 14, 2010
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Pre-Trial Conference	June 3, 2010	September 9, 2010
Trial Date	June 21, 2010	September 21, 2010

Dated: 10/14/09



RONALD M. WHYTE
United States District Court Judge